

BOROUGH OF JESSUP

LACKAWANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 5-2024

AN ORDINANCE OF THE BOROUGH OF JESSUP, LACKAWANNA COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 5-2011, AS AMENDED, ESTABLISHING A REGISTRATION PROGRAM FOR RESIDENTIAL RENTAL PROPERTIES; REQUIRING ALL OWNERS OF RESIDENTIAL RENTAL PROPERTIES TO DESIGNATE AN AGENT; PRESCRIBING DUTIES AND OBLIGATION OF OWNERS, AGENTS, AND OCCUPANTS; ESTABLISHING FEES FOR THE COSTS ASSOCIATED WITH THE REGISTRATION OF RENTAL PROPERTIES; PRESCRIBING PENALTIES FOR VIOLATION AND ESTABLISHING ENFORCEMENT PROCEDURES THEREFORE

The Borough of Jessup hereby enacts and ordains the following:

I. Amendments

Section 4(c) of Ordinance No. 5 of 2011 is stricken and amended as follows:

The owner or agent shall permit inspection of the premises or any rental unit therein by the Code Officer or his/her designee every three (3) years to ensure the health, safety, and welfare of the tenants and to examine compliance with the current International Property Maintenance Code of 2015, as amended, Building Codes, Zoning Codes, and all Borough Ordinances. A fee shall be charged to the property owner for the cost of inspection.

In the event that access is refused, the Borough is authorized to obtain a warrant from a judicial officer and may issue citations for violations, any alleged violation of this or other Borough Ordinances, and any facts suggesting any threat to the public health or safety.

Section 6(d) of Ordinance No. 5 of 2011 is stricken and amended as follows:

The Borough shall issue a Registration Certificate to any persons who are require to register a rental property after said person has complied with the aforementioned standards and said person shall have paid the Rental Registration as provided in Section 10. The Rental Registration fee shall be paid every three years or within thirty (30) days of a change in ownership.

Section 9(a) of Ordinance No. 5 of 2011 shall be amended as follows:

The insurance required under this section shall be a minimum of One Hundred Fifty Thousand Dollars (\$150,000.00).

Section 10 of Ordinance No. 5 of 2011 is amended to include the following:

The inspection fee shall be assessed to the property owners and shall be determined from time to time by resolution of Borough Council. Said fee shall cover the cost borne by the Borough for the inspection.

II. Repeal and Severability

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not effect of impair any remaining provision, section, sentence, clause or part of this Ordinance. It is the intent of this Borough that such remainder shall be and shall remain in full force and effect.

III. Effective Date

This ordinance shall become effective immediately upon its being enacted and ordained.

ENACTED AND ORDAINED this 3RD day of APRIL, 2024.

Borough Council:

By: Roberta Galati
Roberta Galati,
Council President

Joseph J. Buckshon, Jr.
Joseph Buckshon,
Mayor

Attest:

Thomas Wascura
Thomas Wascura
Borough Secretary

CERTIFICATE

I, the undersigned, Secretary of the Borough of Jessup, Lackawanna County, Pennsylvania (the "Borough") certify that: the foregoing is a true and correct copy of an Ordinance that was duly enacted by the Borough Council of the Borough, in accordance with law, at a meeting duly held on APRIL 3RD, 2024, at which meeting a quorum was present; this Ordinance has been certified and recorded by me, as Secretary of the Borough, in the book provided for the purpose of such recording; this Ordinance, upon enactment, was assigned Ordinance No. _____; presently, the total number of members of the Borough Council of the Borough is 7; the vote of the members of the Borough Council of the Borough, upon enactment of this Ordinance, the yeas and nays having been called, was duly recorded by me as Secretary as follows:

Roberta Galati, President	Yea <u>✓</u>	Nay _____
Jerry Crinella, Vice President	Yea _____	Nay <u>AGAINST</u>
Gregg Betti	Yea <u>✓</u>	Nay _____
Joseph Melado	Yea _____	Nay _____ <u>ABSENT</u>
Thomas Fiorelli	Yea <u>✓</u>	Nay _____
Curt Camoni	Yea <u>✓</u>	Nay _____
Jeffrey Castellani	Yea <u>✓</u>	Nay _____

This Ordinance has been advertised as required by law, in a proper newspaper of general circulation in the Borough; and this Ordinance has not been amended, altered, or repealed as of the date of this Certificate.

I further certify that the Borough Council of the Borough met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. Ch. 7, by advertising the time and place of the meeting, by posting prominently a notice of the meeting at the principal office of the Borough or at the public building in which the meeting was held, and by providing a reasonable opportunity for public comment at such meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and official seal of the Borough, this 3RD day of APRIL, 2024.



Secretary

(SEAL)

